

H

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DIVISION OF MEDICAL QUALITY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)
Against:)
)
)
JAMES W. KNIGHT, M.D.)
Certificate No. C-18394)
)
Respondent.)
)

)

No. 03-95-53815

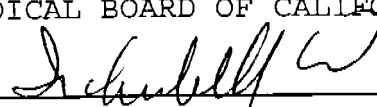
DECISION

The attached Stipulation and Waiver for Surrender of Physician's and Surgeon's Certificate; Decision and Order in case number 03-95-53815 is hereby adopted by the Division of Medical Quality of the Medical Board of California as its decision in the above entitled matter.

This Decision shall become effective on March 6, 1997.

IT IS SO ORDERED February 4, 1997.

DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA

By 
IRA LUBELL, M.D.
Chairperson, Panel A

DANIEL E. LUNGREN, Attorney General
of the State of California
DAVID M. GUSTAFSON, State Bar No. 96787
Deputy Attorney General
2101 Webster Street, 12th Floor
Oakland, California 94612-3049
Telephone: (510) 286-4090

Attorneys for Complainant

BEFORE THE DIVISION OF MEDICAL QUALITY

MEDICAL BOARD OF CALIFORNIA

STATE OF CALIFORNIA

In the Matter of the Accusation)	No. 03-95-53815
Against:)	
)	
)	STIPULATION AND WAIVER
JAMES W. KNIGHT, M.D.)	FOR SURRENDER OF
535 East Romie Lane, Suite 10)	PHYSICIAN'S AND SURGEON'S
Salinas, California 93901)	CERTIFICATE; DECISION AND
)	ORDER THEREON
Physician's and Surgeon's)	
Certificate No. C18394)	
)	
)	

IT IS HEREBY STIPULATED AND AGREED by and between James W. Knight, M.D., with the counsel and advice of his attorney, Eugene Epstein, Esq., and complainant Ronald Joseph, in his official capacity as Executive Director of the Medical Board of California, by and through his attorney, Daniel E. Lungren, Attorney General, by David M. Gustafson, Deputy Attorney General, as follows:

1. Complainant in the Accusation, Ronald Joseph, Executive Director of the Medical Board of California, brought and maintained the Accusation in Case No. 03-95-53815 (hereinafter, the "Accusation") solely in his official capacity. A copy of the Accusation in this matter is attached to this

1 Stipulation and Waiver as Exhibit A, and the Accusation is
2 incorporated by reference into the Stipulation and Waiver.

3 2. The Medical Board of California ("Board"),
4 including its Division of Medical Quality ("Division"), has
5 jurisdiction to enter into this Stipulation and Waiver pursuant
6 to Article 12 of Chapter 5 of Division 2 of the Business and
7 Professions Code commencing with section 2220 et seq.

8 3. Respondent was issued Physician's and Surgeon's
9 Certificate No. C18394 by the Board on or about February 26,
10 1957, the current version of which expires on November 30, 1997.

11 4. Respondent has received and read the Accusation in
12 Case No. 03-95-53815 which is presently on file and pending
13 before the Board.

14 5. Respondent understands the nature of the charges
15 and allegations set forth in the Accusation and understands and
16 admits that those charges and allegations if proved would
17 constitute cause for imposing discipline upon respondent's
18 Physician's and Surgeon's Certificate.

19 6. Respondent is fully aware of his right to a hearing
20 on the charges and allegations contained in the Accusation, his
21 right to reconsideration, judicial review, appeal, and any and
22 all other rights which may be accorded him pursuant to the
23 California Administrative Procedure Act (Government Code section
24 11500 et seq.) and other laws of the State of California.

25 7. Respondent freely and voluntarily waives his rights
26 to a hearing, reconsideration, judicial review, appeal and any
27 and all other rights which may be accorded him by the California

1 Administrative Procedure Act and other laws of the State of
2 California with regard to the charges and allegations in the
3 Accusation in exchange for the Board's agreement to enter into
4 this Stipulation and Waiver.

5 8. Respondent stipulates and agrees to surrender his
6 Physician's and Surgeon's Certificate (No. C18394) to the Board
7 and to thereby relinquish his right to practice medicine in the
8 State of California.

9 9. Respondent stipulates and agrees to immediately
10 surrender his U.S. Drug Enforcement Administration ("DEA")
11 controlled substances permit to the DEA for cancellation, and
12 stipulates and agrees that he shall not reapply for a new,
13 modified or replacement DEA controlled substances permit.
14 Respondent also stipulates and agrees to immediately surrender to
15 the DEA any triplicate prescription forms and federal order forms
16 for the ordering or purchase of controlled substances in
17 respondent's possession or control.

18 10. In surrendering his Physician's and Surgeon's
19 Certificate, respondent specifically waives the renewal
20 provisions of Article 19 (Renewal of Licenses) of Chapter 5
21 (Medical Practices Act) of Division 2 (Healing Arts) of the
22 Business and Professions Code, as set forth in Business and
23 Professions Code section 2420 et seq., and stipulates and agrees
24 that he will not apply to the Division to have his Physician's
25 and Surgeon's Certificate renewed.

26 11. Respondent stipulates and agrees that he will not
27 resume or seek to resume the practice of medicine in the State of

1 California during the ten (10) year period following the
2 effective date of the Board's decision in this matter.

3 12. Respondent stipulates and agrees that, subsequent
4 to the above ten (10) year period during which respondent is
5 prohibited from practicing or seeking to practice medicine in the
6 State of California, if respondent applies to the Board to resume
7 the practice of medicine in the State of California, such
8 application shall be deemed to be a petition for reinstatement of
9 respondent's Physician's and Surgeon's Certificate and shall be
10 governed by and treated according to the provisions of Business
11 and Professions Code section 2307 or any successor statutory
12 provision that may be in effect at the time of such an
13 application. Respondent stipulates and agrees further that,
14 subsequent to the above ten (10) year period during which
15 respondent is prohibited from practicing or seeking to practice
16 medicine in the State of California, in the event respondent
17 should petition for reinstatement of his Physician's and
18 Surgeon's Certificate or undertake any other administrative or
19 court action to resume his practice of medicine in the State of
20 California, all of the charges and allegations set forth in
21 paragraphs 11 through 27, inclusive, of the Accusation shall be
22 deemed to be admitted by respondent as being true and correct.

23 13. Within fifteen (15) days from the effective date
24 of the Division's decision (as specified in the Division's
25 Decision and Order attached to this Stipulation and Waiver),
26 respondent shall provide the Division or its designee proof of
27 service that respondent has served a true copy of this

1 Stipulation and Waiver (along with the Accusation and the
2 Division's Decision and Order attached thereto) on the chief of
3 staff or the chief executive officer of every hospital or medical
4 facility where privileges or membership are or have been extended
5 to respondent or where respondent is or was employed to practice
6 medicine, and on the chief executive officer of every insurance
7 carrier which is providing or has provided medical malpractice
8 insurance coverage to respondent.

9 14. Respondent is subject immediately as of the
10 effective date of the Board's decision to the terms and
11 conditions specified in this Stipulation and Waiver.

12 15. In consideration for the above terms and
13 conditions, the Division agrees to accept the surrender of
14 respondent's Physician's and Surgeon's Certificate (No. C18394)
15 as stipulated and agreed to above.

16 16. IT IS FURTHER STIPULATED AND AGREED that the terms
17 and conditions of this Stipulation and Waiver are null and void
18 and in no way binding upon the parties hereto unless and until
19 this Stipulation and Waiver is adopted by the Division of Medical
20 Quality, Medical Board of California, as its decision in this
21 matter.

22 //

23 //

24 //

25 //

26 //

27 //

1 DATED: 6 January 1997

DANIEL E. LUNGREN, Attorney General of
the State of California

David M. Gustafson
DAVID M. GUSTAFSON
Deputy Attorney General

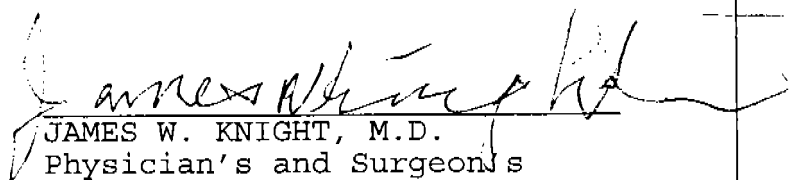
Attorneys for Complainant

7 DATED: 12-5-96

Eugene Epstein
EUGENE EPSTEIN, Esq.
Attorney for Respondent

RESPONDENT'S CERTIFICATION

I hereby certify that I have read the foregoing Stipulation and Waiver for Surrender of Physician's and Surgeon's Certificate in its entirety along with the Accusation attached thereto, that my attorney of record has fully explained the legal significance and consequences of the Stipulation and Waiver and Accusation attached thereto, that I fully understand the terms and conditions of the Stipulation and Waiver and the Accusation attached thereto, that I fully understand the legal significance and the consequences of signing the Stipulation and Waiver, and that I agree to the terms and conditions of the Stipulation and Waiver. In witness whereof, I affix my signature this 17th day of Dec., 1996 at SALINAS, California.


JAMES W. KNIGHT, M.D.
Physician's and Surgeon's
Certificate No. C18394

Respondent

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 DAVID M. GUSTAFSON, State Bar No. 96787
Deputy Attorney General
3 2101 Webster Street, 12th Floor
Oakland, California 94612-3049
4 Telephone: (510) 286-4090

5 Attorneys for Complainant

6 BEFORE THE DIVISION OF MEDICAL QUALITY

7 MEDICAL BOARD OF CALIFORNIA

8 STATE OF CALIFORNIA
9

10 In the Matter of the Accusation) No. 03-95-53815
Against:)

11)
12) ACCUSATION

12 JAMES W. KNIGHT, M.D.)
535 East Romie Lane, Suite 10)
13 Salinas, California 93901)

14 Physician's and Surgeon's)
Certificate No. C18394)
15)
16)

17 Complainant Ronald Joseph alleges as follows:

18 COMPLAINANT'S IDENTITY

19 1. Complainant is the Executive Director of the
20 Medical Board of California ("Board") and makes and files this
21 Accusation in his official capacity.

22 RESPONDENT'S CERTIFICATE STATUS

23 2. On February 26, 1957, the Board issued Physician's
24 and Surgeon's Certificate No. C18394 to respondent James W.
25 Knight, M.D., the current version of which expires November 30,
26 1997. Dr. Knight failed to comply with continuing medical
27 education requirements when he renewed his physician's and

1 surgeon's certificate in 1995. Although Dr. Knight requested
2 that the Board grant him a temporary CME waiver, the Board denied
3 this request and is requiring him to make up the deficient CME
4 hours during the 1995-1997 period. Dr. Knight must comply with
5 the CME requirement by the next renewal date of November 30, 1997
6 or he will be ineligible for renewal until such time as the
7 requirement is met.

8 STATUTES.

9 3. Business and Professions Code section 725 provides
10 that:

11 "Repeated acts of clearly excessive prescribing or
12 administering of drugs or treatment, repeated acts of
13 clearly excessive use of diagnostic procedures, or repeated
14 acts of clearly excessive use of diagnostic or treatment
15 facilities as determined by the standard of the community of
16 licensees is unprofessional conduct for a physician and
17 surgeon, dentist, podiatrist, psychologist, physical
18 therapist, chiropractor, or optometrist.

19 Any person who engages in repeated acts of clearly
20 excessive prescribing or administering of drugs or treatment
21 is guilty of a misdemeanor and shall be punished by a fine
22 of not less than one hundred dollars (\$100) nor more than
23 six hundred dollars (\$600), or by imprisonment for a term of
24 not less than 60 days nor more than 180 days, or by both the
25 fine and imprisonment."

26 4. Business and Professions Code section 820 provides
27 that:

28 "Whenever it appears that any person holding a
29 license, certificate or permit under this division or
30 under any initiative act referred to in this division
31 may be unable to practice his or her profession safely
32 because the licentiate's ability to practice is
33 impaired due to mental illness, or physical illness
34 affecting competency, the licensing agency may order
35 the licentiate to be examined by one or more physicians
36 and surgeons or psychologists designated by the agency.
37 The report of the examiners shall be made available to
38 the licentiate and may be received as direct evidence
39 in proceedings conducted pursuant to Section 822."

1 5. Business and Professions Code section 822 provides
2 that:

3 "If a licensing agency determines that its licentiate's
4 ability to practice his or her profession safely is impaired
5 because the licentiate is mentally ill, or physically ill
6 affecting competency, the licensing agency may take action
7 by any one of the following methods:

8 (a) Revoking the licentiate's certificate or license.

9 (b) Suspending the licentiate's right to practice.

10 (c) Placing the licentiate on probation.

11 (d) Taking such other action in relation to the
12 licentiate as the licensing agency in its discretion deems
13 proper.

14 The licensing agency shall not reinstate a revoked or
15 suspended certificate or license until it has received
16 competent evidence of the absence or control of the
17 condition which caused its action and until it is satisfied
18 that with due regard for the public health and safety the
19 person's right to practice his or her profession may be
20 safely reinstated."

21 6. Business and Professions Code section 823 provides
22 that:

23 "Notwithstanding any other provisions of law,
24 reinstatement of a licentiate against whom action has been
25 taken pursuant to Section 822 shall be governed by the
26 procedures in this article. In reinstating a certificate or
27 license which has been revoked or suspended under Section
822, the licensing agency may impose terms and conditions to
be complied with by the licentiate after the certificate or
license has been reinstated. The authority of the licensing
agency to impose terms and conditions includes, but is not
limited to, the following:

(a) Requiring the licentiate to obtain additional
professional training and to pass an examination upon the
completion of the training.

(b) Requiring the licentiate to pass an oral, written,
practical, or clinical examination, or any combination
thereof to determine his or her present fitness to engage in
the practice of his or her profession.

(c) Requiring the licentiate to submit to a complete
diagnostic examination by one or more physicians and

1 surgeons or psychologists appointed by the licensing agency.
2 If the licensing agency requires the licentiate to submit to
3 such an examination, the licensing agency shall receive and
4 consider any other report of a complete diagnostic
5 examination given by one or more physicians and surgeons or
6 psychologists of the licentiate's choice.

7 (d) Requiring the licentiate to undergo continuing
8 treatment.

9 (e) Restricting or limiting the extent, scope or type
10 of practice of the licentiate."

11 7. Business and Professions Code section 824 provides
12 that:

13 "The licensing agency may proceed against a licentiate
14 under either Section 820, or 822, or under both sections."

15 8. Business and Professions Code section 2220 provides
16 that:

17 "Except as otherwise provided by law, the Division
18 of Medical Quality may take action against all persons
19 guilty of violating this chapter. The division shall
20 enforce and administer this article as to physician and
21 surgeon certificate holders, and the division shall
22 have all the powers granted in this chapter for these
23 purposes including, but not limited to:

24 (a) Investigating complaints from the public,
25 from other licensees, from health care facilities, or
26 from a division of the board that a physician and
27 surgeon may be guilty of unprofessional conduct.

(b) Investigating the circumstances of practice
of any physician and surgeon where there have been any
judgments, settlements, or arbitration awards requiring
the physician and surgeon or his or her professional
liability insurer to pay an amount in damages in excess
of a cumulative total of thirty thousand dollars
(\$30,000) with respect to any claim that injury or
damage was proximately caused by the physician's and
surgeon's error, negligence, or omission.

(c) Investigating the nature and causes of
injuries from cases which shall be reported of a high
number of judgments, settlements, or arbitration awards
against a physician and surgeon."

9. Business and Professions Code section 2227(a)

1 provides that:

2 "A licensee whose matter has been heard by an
3 administrative law judge of the Medical Quality Hearing
4 Panel as designated in Section 11371 of the Government
5 Code, or whose default has been entered, and who is
6 found guilty may, in accordance with the provisions of
7 this chapter:

8 (1) Have his or her license revoked upon order of
9 the division.

10 (2) Have his or her right to practice suspended
11 for a period not to exceed one year upon order of the
12 division.

13 (3) Be placed on probation upon order of the
14 division.

15 (4) Be publicly reprimanded by the division.

16 (5) Have any other action taken in relation to
17 discipline as the division or an administrative law
18 judge may deem proper."

19 10. Business and Professions Code section 2234
20 provides that:

21 "The Division of Medical Quality shall take action
22 against any licensee who is charged with unprofessional
23 conduct. In addition to other provisions of this
24 article, unprofessional conduct includes, but is not
25 limited to, the following:

26 (a) Violating or attempting to violate, directly
27 or indirectly, or assisting in or abetting the
violation of, or conspiring to violate, any provision
of this chapter.

(b) Gross negligence.

(c) Repeated negligent acts.

(d) Incompetence.

(e) The commission of any act involving
dishonesty or corruption which is substantially related
to the qualifications, functions, or duties of a
physician and surgeon.

(f) Any action or conduct which would have
warranted the denial of a certificate."

1 CHARGES AND ALLEGATIONS

2 PATIENT A

3 11. Patient A^{1/} came under respondent's care in April
4 1992 for treatment of gall bladder disease and back pain. During
5 the period from April 1992 through December 1995 respondent
6 prescribed Vicodin, Valium and Soma to patient A in excessive
7 amounts (initially prescribing approximately 100 Vicodin and
8 Valium pills for patient A every three weeks and eventually
9 escalating the amount to prescription of approximately 100
10 Vicodin, Valium and Soma pills every three weeks).

11 12. In addition to respondent's excessive prescription
12 of Vicodin, Valium and Soma to patient A, respondent failed to
13 utilize any appropriate alternative modalities for management of
14 patient A's pain, such as the prescription of non-steroidal anti-
15 inflammatory medications or the prescription of low doses of
16 anti-depressants.

17 FIRST CAUSE FOR DISCIPLINARY ACTION

18 13. Respondent's excessive prescription of Vicodin,
19 Valium and Soma to patient A, as described in paragraphs 11
20 through 12 above, constitutes excessive prescribing of drugs
21 pursuant to Business and Professions Code section 725 and
22 therefore constitutes unprofessional conduct and cause for
23 disciplinary action pursuant to Business and Professions Code
24 section 2234.

25
26 1. All individuals and institutions referred to in this
27 Accusation are denominated by initials only in order to protect
their privacy interests. The identities of such individuals and
institutions will be provided to respondent in response to an
appropriate request for discovery.

1 SECOND CAUSE FOR DISCIPLINARY ACTION

2 14. Respondent's excessive prescription of Vicodin,
3 Valium and Soma to patient A, as described in paragraphs 11
4 through 12 above, constitutes a violation of the Medical Practice
5 Act and therefore constitutes unprofessional conduct and cause
6 for disciplinary action pursuant to Business and Professions Code
7 section 2234(a).

8 THIRD CAUSE FOR DISCIPLINARY ACTION

9 15. Respondent's excessive prescription of Vicodin,
10 Valium and Soma to patient A, as described in paragraphs 11
11 through 12 above, constitutes incompetence and therefore
12 constitutes unprofessional conduct and cause for disciplinary
13 action pursuant to Business and Professions Code section 2234(d).

14 PATIENT B

15 16. Patient B was under respondent's care from
16 December 1994 through January 1996, seeing respondent at two to
17 four week intervals for the treatment of migraine headaches,
18 depression and back pain. During this time, respondent
19 prescribed Vicodin, Valium and Soma to patient B in excessive
20 amounts (prescribing approximately 300 Vicodin pills, 200 Valium
21 pills and 200 Soma pills per month to patient B).

22 17. In addition to respondent's excessive prescription
23 of Vicodin, Valium and Soma to patient B, respondent failed to
24 utilize any appropriate modalities for management of patient B's
25 pain (other than insufficient doses of anti-depressants).

26 FOURTH CAUSE FOR DISCIPLINARY ACTION

27 18. Respondent's excessive prescription of Vicodin,

1 Valium and Soma to patient B, as described in paragraphs 16
2 through 17 above, constitutes excessive prescribing of drugs
3 pursuant to Business and Professions Code section 725 and
4 therefore constitutes unprofessional conduct and cause for
5 disciplinary action pursuant to Business and Professions Code
6 section 2234.

7 FIFTH CAUSE FOR DISCIPLINARY ACTION

8 19. Respondent's excessive prescription of Vicodin,
9 Valium and Soma to patient B, as described in paragraphs 16
10 through 17 above, constitutes a violation of the Medical Practice
11 Act and therefore constitutes unprofessional conduct and cause
12 for disciplinary action pursuant to Business and Professions Code
13 section 2234(a).

14 SIXTH CAUSE FOR DISCIPLINARY ACTION

15 20. Respondent's excessive prescription of Vicodin,
16 Valium and Soma to patient B, as described in paragraphs 16
17 through 17 above, constitutes incompetence and therefore
18 constitutes unprofessional conduct and cause for disciplinary
19 action pursuant to Business and Professions Code section 2234(d).

20 PHYSICAL AND MENTAL DEFICITS

21 21. On June 24, 1996, the Board received a report
22 regarding Dr. Knight from Hospital X pursuant to Business and
23 Professions Code section 805, which requires health care
24 facilities to report to the Board whenever a medical practitioner
25 has been denied membership or staff privileges for medical
26 disciplinary reasons, has had membership, staff privileges or
27 employment terminated or revoked for medical disciplinary

1 reasons, or has had restrictions imposed on membership, staff
2 privileges or employment for a period exceeding 30 days.

3 22. The section 805 report filed on respondent
4 indicates that respondent's staff privileges at Hospital X had
5 been restricted following the death of one of respondent's
6 patients during a medical procedure. Under Hospital X's
7 restrictions on respondent's privileges, respondent was
8 prohibited from admitting patients, writing medical orders or
9 performing medical procedures at the hospital. According to the
10 805 report the restrictions were imposed upon respondent because
11 his "(a)pparent deterioration in health (which) caused concern
12 for clinical performance in general."

13 23. Upon initial investigation of this matter by the
14 Board's field office, the following facts emerged:

15 A. Respondent is 68 years old and in deteriorating health.

16 B. Prior to the reporting incident which initiated the
17 filing of the section 805 report, respondent had had previous
18 restrictions placed on his medical practice of the hospital by
19 hospital authorities. Under these restrictions, respondent was
20 prohibited from admitting patients without obtaining consultation
21 and approval from another physician and was prohibited from
22 performing medical procedures without direct supervision.

23 C. Respondent failed to abide by these restrictions and,
24 according to the Hospital's Department of Medicine's Executive
25 Committee April 25, 1996 meeting, "has had to be continually
26 monitored for compliance". The Executive Committee also noted in
27 the context of reviewing respondent's patient care that

1 respondent's writing of an incoherent discharge diagnosis
2 indicated that respondent "has a writing deficiency" and that
3 respondent's "concentration level is questionable". Because of
4 its concerns regarding respondent's patient care and his failing
5 health, the Executive Committee referred respondent's case to
6 Hospital X's Physician's Well-Being Committee and Quality
7 Assurance Subcommittee.

8 D. On May 1, 1996, Hospital X's Department of Medicine's
9 Executive Committee met again for the purpose of reviewing
10 respondent's medical practice at Hospital X and, based upon the
11 Committee's view that respondent suffered "increasing performance
12 problems", requested that respondent reduce his staff status at
13 the Hospital from "active" to "associate", a change which would
14 prohibit respondent from admitting any patients, writing any
15 medical orders, or performing any medical procedures at Hospital
16 X.

17 E. Respondent accepted these restrictions on his medical
18 practice at Hospital X, admitting that he did not want to place
19 patients at risk. However, respondent indicated to Hospital X
20 authorities that respondent's hospital practice was a relatively
21 small part of respondent's medical practice and that respondent
22 would continue practicing outside Hospital X due to financial
23 pressures and considerations.

24 24. On August 29, 1996, the Board's investigator
25 requested in writing that respondent voluntarily undergo physical
26 and psychiatric examinations. On September 5, 1996 respondent
27 agreed in writing to undergo the examinations. Respondent

1 thereafter underwent the psychiatric examination on
2 October 1, 1996 and the physical examination on October 11, 1996.

3 25. The results of respondent's psychiatric
4 examination indicated that respondent suffers from various
5 cognitive, concentration and memory deficits and that respondent
6 exhibits an element of denial of these deficits. Referring to a
7 letter written by respondent's treating physician, the
8 psychiatric evaluator also cited the fact that respondent suffers
9 from severe and progressive polyneuropathy which causes
10 significant tremors, shooting pains and problems with strength
11 and balance, and which precludes respondent from practicing
12 surgery or effectively caring for his patients, even in a
13 sedentary office work environment. (Respondent's treating
14 physician also indicated that respondent had been urged to retire
15 from the practice of medicine but had refused to do so.) On the
16 basis of the above information, the psychiatric evaluator
17 concluded by indicating that "it is counter-productive for
18 [respondent] to be practicing".

19 26. The results of respondent's physical examination
20 confirmed respondent's polyneuropathy and indicated that
21 respondent suffered from a variety of other physical ailments,
22 including abdominal problems, liver disease, coronary artery
23 disease, and moderately severe memory deficits. In summarizing
24 his evaluation, the Board's medical evaluator made the following
25 comments:

26 "1. Dr. Knight's disabilities are considerable.
27 His gastrointestinal and neurological disorders are
daunting, and preclude him from effectively engaging in
the practice of medicine. Furthermore, he suffers from

1 moderate diminution of cognitive skills due to impaired
2 memory which also prevents him from rendering adequate
3 patient care. I do not anticipate that his
4 disabilities will improve in the future, and consider
5 him totally and permanently disabled to care for
6 patients. . . .

7 2. Continued monitoring and evaluation of his GI
8 problems by his gastroenterologist. Colonoscopy and
9 small bowel follow through x-ray would seem
10 appropriate, if not performed recently. Follow-up of
11 the hepatomegaly is important, including liver-spleen
12 nuclear scan, follow-up ultrasound of the hepatic
13 parenchyma, and even liver biopsy, if necessary.
14 Rectal biopsy to check for amyloidosis might be
15 helpful; amyloid deposition could explain hepatomegaly,
16 progressive neuropathy, and altered gut function.

17 3. Supportive psychotherapy to assist in this
18 difficult transition from what was an extremely busy
19 and productive life as a surgeon and physician to a
20 forced retirement due to disability.

21 4. Continued follow-up by his neurologist for the
22 severe neuropathy. . . ."

23 Seventh Cause for Disciplinary Action

24 27. The charges and allegations set forth in
25 paragraphs 21 through 26, inclusive, indicate that respondent's
26 ability to practice medicine safely is impaired due to physical
27 and mental illness affecting competency and therefore cause for
disciplinary action against respondent's physician's and
surgeon's certificate exists pursuant to Business and Professions
Code section 822.

28 PRAYER

29 WHEREFORE, complainant requests that the Medical Board
30 of California hold a hearing on the matters, charges and
31 allegations alleged herein and thereafter issue an order:

32 1. Revoking or suspending Physician's and Surgeon's
33 Certificate No. C18394 held by respondent James W. Knight, M.D.;

1 2. Granting the Medical Board of California its costs
2 of investigation and prosecution of this case pursuant to
3 Business and Professions Code section 125.3, and;

4 3. Prohibiting respondent from supervising a physician
5 assistant, and;

6 4. Taking such other action as appropriate to protect
7 the public health, safety and welfare.

8
9 DATED: November 14, 1996



RONALD JOSEPH
Executive Director
Medical Board of California
State of California

COMPLAINANT